

Notice of Allowability

Application No.

10/690,755

Examiner

Hoa C. Nguyen

Applicant(s)

BENNETT, BARTON E.

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/30/07.
2. ☒ The allowed claim(s) is/are 1-11, 21, 22 and 32-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. The amendment filed on 8/30/07 has been entered.

Response to Arguments

2. Applicant's arguments, see Remarks (page 9, under Claim Not Considered), filed 8/30/07, with respect to claim 21 have been fully considered and are persuasive. The restriction requirement of Species 5 on claim 21 has been withdrawn.
3. Applicant's arguments, see Remarks (page 9, under Claim Rejection), filed 8/30/07, with respect to the amended claims 1 and 32 have been fully considered and are persuasive. The rejections of claims 1 and 32 have been withdrawn.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicant attorney, Daniel Tychonievich, on 10/9/07.

The application has been amended as follows:

- (a) Claims 12-20 and 23-30 are cancelled.
- (b) Claims 34-36: The "set forth in claim 31" is changed to -- set forth in claim 32.

Allowable Subject Matter

5. Claims 1-11, 21-22, and 32-36 are allowed.

Reasons for Allowance

6. The following is a statement of reasons for the indication of allowable subject matter:

(a) Regarding claims 1-11 and 21-22, the best prior art references, Dibene, II et al. (US 6304450), McClanahan et al. (US 5396397), Mowatt et al. (US 5432677), and Sugaya et al. (US 6538210), taken alone or in combination, fails to teach or fairly suggest, at least on claim 1, in combining with other limitations, the core structure including truss elements having a longitudinal axis extending substantially co-planar with planes defined by the facesheet laminates and the circuit laminates providing bending resistance to the composite sandwich structure. None of the reference art of record discloses or renders obvious such a combination.

(b) Regarding claims 32-36, the best prior art references, Dibene, II et al. (US 6304450), McClanahan et al. (US 5396397), Mowatt et al. (US 5432677), and Sugaya et al. (US 6538210), taken alone or in combination, fails to teach or fairly suggest, at least on claim 32, in combining with other limitations, the core structure including truss elements with at least one circuit layer attached to the truss elements. None of the reference art of record discloses or renders obvious such a combination.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

Art Unit: 2841

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoa C. Nguyen whose telephone number is 571-272-8293. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hoa C. Nguyen



TUAN T. DINH
PRIMARY EXAMINER

10/14/07